



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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DATE: May 12, 2003  
TO: Sandie Spyrou, SP  
A.U. 2872  
FROM: Hien H. Phan, SPRE  
RE: REISSUE APPLICATION No. 08/914,868

Sandie,  
The allowance count was not withdrawn.  
The miscellaneous action does not set forth a response period.  
Should the count be withdrawn and an *ex parte Quayle* action be issued?  
It's your call.  
Thanks.  
Hien

improper.

- paper # 11, rewritten claim 7 is in improper format.

3. The final renumbering of claims is improper. Original claims remain the same with the canceled claims put in brackets. Only new claims are renumbered, starting from number 11.

4. The original patent is not in the file and I cannot find a statement indicating that it was lost. If the original patent is not lost, then it must be surrendered or the application may not be allowed.

5. Since the patent file was sent to loc 9200 instead of to the SPRE unit, it is presumed that the examiner has reviewed the file for possible recapture but found that the broadening of the claims is not barred by the recapture rule.

A reissue checklist is attached to help in putting the case in proper form for allowance.

You may want to consider calling the attorney to obtain 1) a set of claims that are written in accordance with the format required for reissue claims, 2) a supplemental declaration acknowledging that all errors corrected arose without deceptive and 3) the original patent.

If the above-indicated deficiencies cannot be promptly rectified, please consider withdrawing the allowance count.

Please check with me if clarification/assistance is needed. Thanks.